

REMARKS

This Response Under 37 C.F.R. §1.116 is in response to the final Office Action mailed September 6, 2008, and is filed together with a Request for Continued Examination, a three month extension of time, and the requisite fees. Also filed herewith is a Form *PTO/SB/08B* and a *Declaration of Kathy Weitzel Establishing Prior Invention Over US2002/0103749 and US2002/0040312*.

Dhar et al. was published in the U.S. April 4, 2002, and is not a statutory bar against the present application. Agudo et al. was published in the U.S. August 1, 2002, and is not a statutory bar against the present application.

The attached Declaration establishes a conception date at least as early as May 25, 2000 and a diligent reduction to practice from at least May 25, 2000, to December 3, 2001, the filing date of the present application.

It is respectfully submitted that Dhar et al. and Agudo et al. are not available as references under 35 U.S.C. §103(a) against the claims of the present application.

In the final Office Action, claims 1-3, 7, 9-36, 40, 42-63, 67 and 69-87 were rejected under 35 U.S.C. §103(a) as being unpatentable over Walker in view of Dhar et al. and Agudo et al. Reconsideration and withdrawal of these rejections are respectfully requested, for the following reasons.

The final Office Action acknowledges that Walker does not teach:

providing a plurality of checklists of data items to be collected, the data items of each provided checklist being determined at least by a combination of the assigned Credit Classification and the determined Type of Review; storing the plurality of checklists of data items to be collected; selecting one of the plurality of checklists of data items to be collected based upon the combination of the assigned Credit Classification and the determined Type of Review

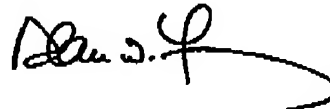
however, maintains that such missed teachings or suggestions are provided by "Dhar/Agudo" (See page 3).

However, as Dhar/Agudo are not available as prior art, as established by the Declaration filed herewith (due to a prior invention by Kathy Weitzel and her co-inventors), the applied Walker/Dhar/Agudo combination cannot be applied against the claims of the present application.

Therefore, the applied 35 U.S.C. §103(a) rejections of claims 1-3, 7, 9-36, 40, 42-63, 67 and 69-87, are untenable and should, therefore, be withdrawn.

Applicants' attorney respectfully submits the present application is in condition for an early allowance and passage to issue. If any unresolved issues remain, please contact the undersigned attorney of record at the telephone number indicated below and whatever is needed will be done immediately.

Respectfully submitted,



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